

SENATE JOURNAL

EIGHTY-FIFTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FIFTY-FIRST DAY

(Thursday, May 4, 2017)

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by President Pro Tempore Seliger.

The roll was called and the following Senators were present: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Garcia, Hall, Hancock, Hinojosa, Huffines, Huffman, Hughes, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin, Uresti, Watson, West, Whitmire, Zaffirini.

The President Pro Tempore announced that a quorum of the Senate was present.

Pastor Craig Curry, First Baptist Church, Plano, was introduced by Senator Taylor of Collin and offered the invocation as follows:

Dear heavenly Father, I pray for the dedicated leaders that are gathered here today. I ask that You would give each one a passion for Texas and a passion for serving the diverse people of our state. Recognizing that there are different ideas and opinions about what is best for our state, I pray for unity that leads to dynamic fellowship as everyone works together. Grant each official the discernment to recognize needs and the boldness to address each need swiftly. Lastly, for the millions of people that live from El Paso to Texarkana and from Perryton to Brownsville, for the people far and wide that proudly refer to themselves as Texans, I humbly request that You would send Your love to replace any hatred, send Your peace to replace any discord, and send Your grace to replace any unforgiveness. Thank You for being a compassionate God that hears our prayers. It's in the name of Jesus I pray. Amen.

Senator Whitmire moved that the reading of the Journal of the proceedings of the previous day be dispensed with and the Journal be approved as printed.

The motion prevailed without objection.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Thursday, May 4, 2017 - 1

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

I am directed by the house to inform the senate that the house has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HB 501 Capriglione

Relating to the disclosure of certain contracts, agreements, services, and compensation in personal financial statements filed by public officers and candidates.

HB 579 Turner

Relating to notice by a state agency regarding certain contracts for which the total value exceeds that of the initial contract.

HB 913 Alvarado

Relating to the prosecution of the criminal offense of the possession, manufacture, transport, repair, or sale of certain prohibited explosive weapons.

HB 1449 Simmons

Relating to prohibiting local governments from imposing certain fees on new construction.

HJR 37 Johnson, Eric

Proposing a constitutional amendment relating to legislative authority to permit credit unions and other financial institutions to award prizes by lot to promote savings.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

PHYSICIAN OF THE DAY

Senator Watson was recognized and presented Dr. Robert Meyerson of Austin as the Physician of the Day.

The Senate welcomed Dr. Meyerson and thanked him for his participation in the Physician of the Day program sponsored by the Texas Academy of Family Physicians.

GUEST PRESENTED

Senator Estes was recognized and introduced to the Senate the President of the Wyoming State Senate, Eli Bebout.

The Senate welcomed its guest.

SENATE RESOLUTION 686

Senator Birdwell offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize the members of the Texas State Technical College delegation, who are visiting Austin on May 4, 2017, to celebrate Texas State Technical College Day at the State Capitol; and

WHEREAS, For more than 50 years, Texas State Technical College has served as the state's premier two-year institution for technical education by providing highly specialized training in advanced and emerging technology fields; and

WHEREAS, The college has long been viewed as an innovator in higher education, and today, students can choose from among 91 associate degree programs, 91 certificate options, and 67 program areas that lead to rewarding careers in a broad range of technical fields; and

WHEREAS, Texas State Technical College was the first institution of higher education in Texas to be funded based entirely upon results; the school is paid by the state legislature only after students have entered the workforce and have earned salaries for five years; this unique approach to educational administration has enabled the college to increase efficiency and open three new campuses over the last four years; and

WHEREAS, Texas State Technical College experienced record increases in enrollment in the fall semester of 2016; the institution continues to focus on student achievement while maximizing state investment, and it serves as a national model for technical training in higher education settings; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 85th Legislature, hereby commend the administrators and leaders of Texas State Technical College for their many exceptional achievements and extend to the teachers, staff, and students sincere best wishes for the future; and, be it further

RESOLVED, That a copy of this Resolution be prepared for the college as an expression of esteem from the Texas Senate.

SR 686 was again read.

The resolution was previously adopted on Wednesday, April 26, 2017.

GUESTS PRESENTED

Senator Birdwell, joined by Senators Buckingham, Lucio, and Hughes, was recognized and introduced to the Senate a Texas State Technical College Day delegation.

The Senate welcomed its guests.

INTRODUCTION OF BILLS AND RESOLUTIONS POSTPONED

The President Pro Tempore announced that the introduction of bills and resolutions on first reading would be postponed until the end of today's session.

There was no objection.

CONCLUSION OF MORNING CALL

The President Pro Tempore at 11:31 a.m. announced the conclusion of morning call.

SENATE RULE 8.02 SUSPENDED (Referral to Committee)

Senator Huffman moved to suspend Senate Rule 8.02 to take up for consideration **HCR 141** at this time.

The motion prevailed without objection.

HOUSE CONCURRENT RESOLUTION 141

On motion of Senator Huffman and by unanimous consent, all necessary rules were suspended to take up for consideration **HCR 141** at this time.

The President Pro Tempore laid before the Senate the following resolution:

WHEREAS, George Herbert Walker Bush, the 41st president of the United States, has served the American people with honor and distinction over the course of an exemplary career in public life; and

WHEREAS, Born in Milton, Massachusetts, on June 12, 1924, to U.S. Senator Prescott Bush and Dorothy Walker Bush, George H. W. Bush hailed from a family with a proud tradition of government and business leadership; he attended Phillips Academy in Andover, and on his 18th birthday, he enlisted in the U.S. Navy; on earning his wings at the completion of flight school, he was among the youngest pilots serving in World War II, and he eventually flew a total of 58 combat missions in the war and earned the Distinguished Flying Cross for his bravery in action; and

WHEREAS, George Bush attended Yale University, where he was a member of the Phi Beta Kappa honor society; after graduating with a degree in economics in 1948, he found success working in the oil industry in West Texas; his entrance into politics came in 1963, when he was named chair of the Harris County Republican Party, and he was later elected to two terms in the U.S. Congress as a representative from Texas; highly respected by his peers in public service, he received appointments to a series of high-level positions, including ambassador to the United Nations, chair of the Republican National Committee, chief of the U.S. Liaison Office in China, and director of the Central Intelligence Agency; and

WHEREAS, This accomplished leader was selected as Ronald Reagan's running mate during the 1980 presidential campaign, and in his role as vice president of the United States from 1981 to 1989, he focused on federal deregulation, antidrug programs, and other domestic policy areas; in 1988, he became the Republican nominee for president, and following his victory in the November election, he took office as the nation's chief executive; and

WHEREAS, His presidency coincided with a time of many significant changes in the world, including the end of the Cold War, the dissolution of the Soviet Union, and the fall of the Berlin Wall; noted for his skillful handling of foreign affairs, President Bush worked toward improved relations with Russia and oversaw the U.S. military's removal of Panamanian dictator Manuel Noriega; in response to the invasion of Kuwait directed by Iraqi president Saddam Hussein in 1990, he assembled an unprecedented coalition of 32 nations to drive out the Iraqi forces, an action that is widely viewed as his greatest presidential achievement; and

WHEREAS, During and after his time in office, President Bush has championed the cause of public and community service; in 2011, he was awarded the Presidential Medal of Freedom by President Barack Obama in recognition of his efforts to inspire volunteerism in communities across the country, and Points of Light, the foundation that he established in 1990, continues to engage millions of people to become agents

of positive change; in 2005, he joined forces with former president Bill Clinton to lead a fund-raiser for the victims of Hurricane Katrina, and the initiative collected more than \$100 million in donations in a matter of months; and

WHEREAS, By his side in all his endeavors has been his wife, Barbara Bush, whom he married in 1945; the couple are the parents of six children, and they have proudly supported the political careers of their sons George W. Bush, who served as the 43rd president of the United States from 2001 to 2009, and Jeb Bush, who was governor of Florida from 1999 to 2007, as well as that of their grandson George P. Bush, who was elected Texas land commissioner in 2014; and

WHEREAS, In President George H. W. Bush's own words, "Any definition of a successful life must include serving others," and this esteemed statesman has exemplified this ideal through his myriad contributions in the public realm; his patriotism and principled leadership have made him a revered figure in his adopted home state, and the naming of the future building at 1801 Congress Avenue in the Capitol Complex would indeed provide a fitting tribute to his legacy; now, therefore, be it

RESOLVED, That the 85th Legislature of the State of Texas hereby direct the Texas Facilities Commission to name the future building at 1801 Congress Avenue, as shown in the 2016 Texas Capitol Complex Master Plan, the George H. W. Bush State Office Building in honor of former president George H. W. Bush and his steadfast commitment to our state and nation; and, be it further

RESOLVED, That the secretary of state forward an official copy of this resolution to the chair and to the executive director of the Texas Facilities Commission.

HUFFMAN
BETTENCOURT
TAYLOR OF GALVESTON

HCR 141 was read.

On motion of Senator Huffman, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

SENATE BILL 1745 ON SECOND READING

On motion of Senator Hinojosa and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1745** at this time on its second reading:

SB 1745, Relating to the effect of a sale of property on the tax lien on the property to secure the payment of taxes, penalties, and interest imposed on the property as a result of the addition to the appraisal roll of property or appraised value that was erroneously exempted in a prior year.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment.

SENATE BILL 1745 ON THIRD READING

Senator Hinojosa moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1745** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE JOINT RESOLUTION 55 ON SECOND READING

On motion of Senator Hinojosa and by unanimous consent, the regular order of business was suspended to take up for consideration **SJR 55** at this time on its second reading:

SJR 55, Proposing a constitutional amendment relating to the effect of a sale of property on the tax lien on the property to secure the payment of ad valorem taxes, penalties, and interest imposed on the property as a result of the addition to the appraisal roll of property or property value that was erroneously exempted in a prior year.

The resolution was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment.

SENATE JOINT RESOLUTION 55 ON THIRD READING

Senator Hinojosa moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SJR 55** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The resolution was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE BILL 1845 ON SECOND READING

On motion of Senator Campbell and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1845** at this time on its second reading:

SB 1845, Relating to the development of transferable degree or certificate program curricula for which qualified veterans or military service members may be awarded course credit based on military service.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment.

SENATE BILL 1845 ON THIRD READING

Senator Campbell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1845** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**COMMITTEE SUBSTITUTE
SENATE BILL 1820 ON SECOND READING**

On motion of Senator Burton and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1820** at this time on its second reading:

CSSB 1820, Relating to an application for a ballot to be voted by mail.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment.

**COMMITTEE SUBSTITUTE
SENATE BILL 1820 ON THIRD READING**

Senator Burton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1820** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

HOUSE BILL 217 ON SECOND READING

On motion of Senator Hinojosa and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 217** at this time on its second reading:

HB 217, Relating to the authority of certain persons to defer or abate the collection of ad valorem taxes on a person's residence homestead.

The bill was read second time and was passed to third reading by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to third reading.

HOUSE BILL 217 ON THIRD READING

Senator Hinojosa moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 217** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE BILL 1005 ON SECOND READING

On motion of Senator Campbell and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1005** at this time on its second reading:

SB 1005, Relating to the use of the SAT or the ACT as a secondary exit-level assessment instrument to allow certain public school students to receive a high school diploma.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment.

SENATE BILL 1005 ON THIRD READING

Senator Campbell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1005** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

COMMITTEE SUBSTITUTE SENATE BILL 1318 ON SECOND READING

On motion of Senator Taylor of Collin and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1318** at this time on its second reading:

CSSB 1318, Relating to designation of mathematics innovation zones by the commissioner of education and to the establishment of pay for success programs to provide necessary funding.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 1318 ON THIRD READING

Senator Taylor of Collin moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1318** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

(President in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 1893 ON SECOND READING**

Senator Birdwell moved to suspend the regular order of business to take up for consideration **CSSB 1893** at this time on its second reading:

CSSB 1893, Relating to the administrative judicial regions in this state.

The motion prevailed.

Senator Creighton asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time.

Senator Zaffirini offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1893** (senate committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter C, Chapter 71, Government Code, is amended by adding Section 71.038 to read as follows:

Sec. 71.038. REGIONAL INFORMATION. The council shall collect judicial statistics and other pertinent information from the presiding judges of each administrative judicial region in this state regarding the amount and character of any business transacted by the presiding judges. As a duty of office, the presiding judges shall report monthly any information required by the council under this section.

The amendment to **CSSB 1893** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1.

CSSB 1893 as amended was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Creighton.

**COMMITTEE SUBSTITUTE
SENATE BILL 1893 ON THIRD READING**

Senator Birdwell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1893** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Creighton.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1. (Same as previous roll call)

(Senator Taylor of Galveston in Chair)

**MOTION TO PLACE
COMMITTEE SUBSTITUTE
SENATE BILL 1122 ON SECOND READING**

Senator Huffines moved to suspend the regular order of business to take up for consideration **CSSB 1122** at this time on its second reading:

CSSB 1122, Relating to abolishing certain county boards of education, boards of county school trustees, and offices of county school superintendent.

Senator Huffines withdrew the motion to suspend the regular order of business.

**COMMITTEE SUBSTITUTE
SENATE BILL 1839 ON SECOND READING**

Senator Hughes moved to suspend the regular order of business to take up for consideration **CSSB 1839** at this time on its second reading:

CSSB 1839, Relating to the preparation, certification, and classification of public school educators.

The motion prevailed.

Senator Burton asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time.

Senator Hughes offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1839** (senate committee report) in SECTION 1 of the bill as follows:

(1) In added Section 21.043(c), Education Code (page 1, lines 38-40), strike "the information to be reported through the Public Education Information Management System (PEIMS) and".

(2) In added Section 21.043(c), Education Code (page 1, line 41), strike "based on that information".

The amendment to **CSSB 1839** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1.

CSSB 1839 as amended was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Burton.

**COMMITTEE SUBSTITUTE
SENATE BILL 1839 ON THIRD READING**

Senator Hughes moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1839** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Burton.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 496 ON SECOND READING**

Senator Uresti moved to suspend the regular order of business to take up for consideration **CSSB 496** at this time on its second reading:

CSSB 496, Relating to the participation of the school of osteopathic medicine at the University of the Incarnate Word in certain state programs supporting graduate medical education programs.

The motion prevailed.

Senators Buckingham, Nelson, and Taylor of Collin asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time and was passed to engrossment by the following vote: Yeas 28, Nays 3.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Estes, Garcia, Hall, Hancock, Hinojosa, Huffines, Huffman, Hughes, Kolkhorst, Lucio, Menéndez, Miles, Nichols, Perry, Rodríguez, Schwertner, Seliger, Taylor of Galveston, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Buckingham, Nelson, Taylor of Collin.

**COMMITTEE SUBSTITUTE
SENATE BILL 496 ON THIRD READING**

Senator Uresti moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 496** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 3.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Estes, Garcia, Hall, Hancock, Hinojosa, Huffines, Huffman, Hughes, Kolkhorst, Lucio, Menéndez, Miles, Nichols, Perry, Rodríguez, Schwertner, Seliger, Taylor of Galveston, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Buckingham, Nelson, Taylor of Collin.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 3. (Same as previous roll call)

SENATE BILL 1870 ON SECOND READING

Senator Zaffirini moved to suspend the regular order of business to take up for consideration **SB 1870** at this time on its second reading:

SB 1870, Relating to county prohibition of the possession of glass containers within the boundaries of a state-owned riverbed; creating an offense.

The motion prevailed.

Senators Creighton, Hall, Hancock, Hughes, and Taylor of Collin asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time and was passed to engrossment by the following vote: Yeas 26, Nays 5.

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Estes, Garcia, Hinojosa, Huffines, Huffman, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, Taylor of Galveston, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Creighton, Hall, Hancock, Hughes, Taylor of Collin.

SENATE BILL 1870 ON THIRD READING

Senator Zaffirini moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1870** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 5.

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Estes, Garcia, Hinojosa, Huffines, Huffman, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, Taylor of Galveston, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Creighton, Hall, Hancock, Hughes, Taylor of Collin.

The bill was read third time and was passed by the following vote: Yeas 26, Nays 5. (Same as previous roll call)

GUEST PRESENTED

Senator Garcia was recognized and introduced to the Senate Doorkeeper Bill Shaffer.

The Senate welcomed its guest.

(President in Chair)

BILLS SIGNED

The President announced the signing of the following enrolled bills in the presence of the Senate after the captions had been read: **SB 4**, **SB 347**, **SB 843**.

**COMMITTEE SUBSTITUTE
SENATE BILL 1883 ON SECOND READING**

Senator Campbell moved to suspend the regular order of business to take up for consideration **CSSB 1883** at this time on its second reading:

CSSB 1883, Relating to the approval of open-enrollment charter schools and the review of challenges by open-enrollment charter schools or school districts to accountability determinations.

The motion prevailed by the following vote: Yeas 22, Nays 9.

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Estes, Hancock, Hinojosa, Huffines, Huffman, Hughes, Kolkhorst, Lucio, Miles, Perry, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin, Uresti, Watson, Whitmire.

Nays: Creighton, Garcia, Hall, Menéndez, Nelson, Nichols, Rodríguez, West, Zaffirini.

The bill was read second time.

Senator Campbell offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1883** (senate committee printing) as follows:

(1) Strike SECTION 1 of the bill amending Section 12.101(b), Education Code (page 1, lines 26-46), and renumber subsequent SECTIONS of the bill accordingly.

(2) In SECTION 2 of the bill, in added Section 12.1102(b), Education Code (page 1, line 57), strike "commissioner" and substitute "State Board of Education".

(3) In SECTION 2 of the bill, in added Section 12.1102(c), Education Code (page 2, line 4), strike "commissioner" and substitute "State Board of Education".

(4) In SECTION 2 of the bill, in added Section 12.1102(d), Education Code (page 2, line 6), strike "commissioner's determination" and substitute "determination of the State Board of Education".

(5) In SECTION 2 of the bill, in added Section 12.1102, Education Code (page 2, between lines 7 and 8), insert the following:

(e) If the charter applicant prevails in an appeal to the State Board of Education, the commissioner shall consider the applicant's application.

(6) In SECTION 7 of the bill relating to the adoption of procedures for the appeal of an application selection determination (page 2, line 55), strike "commissioner of education" and substitute "State Board of Education".

The amendment to **CSSB 1883** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1.

CSSB 1883 as amended was passed to engrossment by the following vote: Yeas 24, Nays 7.

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Estes, Hall, Hancock, Hinojosa, Huffines, Huffman, Hughes, Kolkhorst, Lucio, Miles, Nichols, Perry, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin, Uresti, Watson, Whitmire.

Nays: Creighton, Garcia, Menéndez, Nelson, Rodríguez, West, Zaffirini.

**COMMITTEE SUBSTITUTE
SENATE BILL 1883 ON THIRD READING**

Senator Campbell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1883** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 6.

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Estes, Hall, Hancock, Hinojosa, Huffines, Huffman, Hughes, Kolkhorst, Lucio, Miles, Nelson, Nichols, Perry, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin, Uresti, Watson, Whitmire.

Nays: Creighton, Garcia, Menéndez, Rodríguez, West, Zaffirini.

The bill was read third time and was passed by the following vote: Yeas 24, Nays 7.

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Estes, Hall, Hancock, Hinojosa, Huffines, Huffman, Hughes, Kolkhorst, Lucio, Miles, Nichols, Perry, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin, Uresti, Watson, Whitmire.

Nays: Creighton, Garcia, Menéndez, Nelson, Rodríguez, West, Zaffirini.

STATEMENT OF LEGISLATIVE INTENT

Senator Campbell submitted the following statement of legislative intent for Floor Amendment No. 1 to **CSSB 1883**:

The intention of my floor amendment should not be construed as a way for the State Board of Education (SBOE) to further extend or encumber the existing public charter school authorization process. The SBOE should, when adopting rules, work within the existing Texas Education Agency timeline so that there is continuity and efficiency in the process.

CAMPBELL

SENATE BILL 801 ON SECOND READING

On motion of Senator Seliger and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 801** at this time on its second reading:

SB 801, Relating to the instructional material list and supplemental instructional materials adopted by the State Board of Education.

The bill was read second time.

Senator Garcia offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 801** (senate committee report) as follows:

(1) In SECTION 1 of the bill, strike amended Section 31.023(b), Education Code (page 1, lines 26-29), and substitute the following:

(b) Each instructional material on the list must be:

(1) free from factual errors;
(2) suitable for the subject and grade level for which the instructional material was submitted; and
(3) reviewed by academic experts in the subject and grade level for which the instructional material was submitted.

(2) In SECTION 2 of the bill, strike amended Section 31.035(a), Education Code (page 1, lines 32-46), and substitute the following:

(a) Notwithstanding any other provision of this subchapter, the State Board of Education may adopt supplemental instructional materials that are not on the list adopted under Section 31.023. The State Board of Education may adopt supplemental instructional material under this section only if the instructional material:

(1) contains material covering one or more primary focal points or primary topics of a subject in the required curriculum under Section 28.002, as determined by the State Board of Education;

(2) is not designed to serve as the sole instructional material for a full course;

(3) meets applicable physical specifications adopted by the State Board of Education; ~~and~~

(4) is free from factual errors;

(5) is suitable for the subject and grade level; and

(6) is reviewed by academic experts in the subject and grade level.

The amendment to **SB 801** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1.

SB 801 as amended was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment.

SENATE BILL 801 ON THIRD READING

Senator Seliger moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 801** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

COMMITTEE SUBSTITUTE SENATE BILL 1338 ON SECOND READING

Senator Whitmire moved to suspend the regular order of business to take up for consideration **CSSB 1338** at this time on its second reading:

CSSB 1338, Relating to bail and to judicial education regarding bail practices.

The motion prevailed by the following vote: Yeas 23, Nays 8.

Yeas: Birdwell, Buckingham, Burton, Campbell, Estes, Garcia, Hinojosa, Huffines, Hughes, Kolkhorst, Menéndez, Miles, Nelson, Perry, Rodríguez, Schwertner, Seliger, Taylor of Galveston, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Creighton, Hall, Hancock, Huffman, Lucio, Nichols, Taylor of Collin.

The bill was read second time.

Senator Huffines offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1338** (senate committee printing) as follows:

(1) In Section 1 of the bill (page 1, line 39), strike "; and" and substitute "2".

(2) In Section 1 of the bill (page 1, line 41), strike "." and substitute "; and".

(3) In Section 1 of the bill (page 1, between lines 41 and 42) insert (C) the lawful immigration status of the defendant.

The amendment to **CSSB 1338** was read and was adopted by the following vote: Yeas 20, Nays 11.

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Hall, Hancock, Huffines, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Perry, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin.

Nays: Garcia, Hinojosa, Lucio, Menéndez, Miles, Rodríguez, Uresti, Watson, West, Whitmire, Zaffirini.

Senator Perry offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 1338** (senate committee report) in SECTION 1 of the bill, in added Article 17.027, Code of Criminal Procedure (page 1, between lines 52 and 53), by inserting the following new subsection and relettering subsequent subsections and cross-references to those subsections accordingly:

(c) A magistrate may not, without the consent of the sheriff, order a sheriff or sheriff's department personnel to conduct a pretrial risk assessment under Subsection (b).

The amendment to **CSSB 1338** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 2.

CSSB 1338 as amended was passed to engrossment by the following vote: Yeas 22, Nays 9.

Yeas: Birdwell, Buckingham, Burton, Campbell, Estes, Garcia, Hinojosa, Huffines, Hughes, Kolkhorst, Miles, Nelson, Perry, Rodríguez, Schwertner, Seliger, Taylor of Galveston, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Creighton, Hall, Hancock, Huffman, Lucio, Menéndez, Nichols, Taylor of Collin.

**COMMITTEE SUBSTITUTE
SENATE BILL 1338 ON THIRD READING**

Senator Whitmire moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1338** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 5.

Yeas: Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Garcia, Hancock, Hinojosa, Huffines, Hughes, Kolkhorst, Miles, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Hall, Huffman, Lucio, Menéndez.

The bill was read third time and was passed by the following vote: Yeas 21, Nays 10.

Yeas: Birdwell, Buckingham, Burton, Campbell, Estes, Garcia, Hinojosa, Huffines, Hughes, Kolkhorst, Miles, Nelson, Perry, Rodríguez, Schwertner, Seliger, Taylor of Galveston, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Creighton, Hall, Hancock, Huffman, Lucio, Menéndez, Nichols, Taylor of Collin, Uresti.

**COMMITTEE SUBSTITUTE
SENATE BILL 1588 ON SECOND READING**

Senator Huffines moved to suspend the regular order of business to take up for consideration **CSSB 1588** at this time on its second reading:

CSSB 1588, Relating to the elimination of regular mandatory vehicle safety inspections and the imposition of replacement fees.

The motion prevailed by the following vote: Yeas 27, Nays 4.

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Hall, Hancock, Hinojosa, Huffines, Huffman, Hughes, Kolkhorst, Menéndez, Miles, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin, Uresti, West, Whitmire.

Nays: Garcia, Lucio, Watson, Zaffirini.

The bill was read second time.

Senator Huffines offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1588** (senate committee report page 7, line 22) by striking "January" and substituting "March".

The amendment to **CSSB 1588** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 1588** (senate committee report) by striking all below the enacting clause and substituting the following:

SECTION 1. Section 382.0622(a), Health and Safety Code, is amended to read as follows:

(a) Clean Air Act fees consist of:

(1) fees collected by the commission under Sections 382.062, 382.0621, 382.202, and 382.302 and as otherwise provided by law;

(2) \$2 from the portion of each fee collected for inspections of vehicles other than mopeds and remitted to the state under Section [~~Sections~~] 548.501 [~~and 548.503~~], Transportation Code; and

(3) fees collected that are required under Section 185 of the federal Clean Air Act (42 U.S.C. Section 7511d).

SECTION 2. Subchapter B, Chapter 548, Transportation Code, is amended by adding Section 548.054 to read as follows:

Sec. 548.054. EXEMPTION FROM SAFETY INSPECTION REQUIREMENT FOR CERTAIN VEHICLES. (a) Notwithstanding any other law, a motor vehicle, trailer, semitrailer, pole trailer, mobile home, or moped is not required to be inspected under Section 548.051 before the vehicle may be registered if the vehicle:

(1) was manufactured for a model year that is less than five years before the year in which the vehicle is to be registered; and

(2) has not been involved in an accident in the five-year period preceding the date of registration.

(b) Subsection (a) does not apply to a commercial motor vehicle.

(c) The department by rule, in consultation with the Texas Department of Motor Vehicles, shall establish a system to identify vehicles that have been involved in accidents for the purpose of implementing this section. The system is not required to identify a vehicle involved in an accident unless a police report was filed in connection with the accident.

(d) The department and the Texas Department of Motor Vehicles may enter into a memorandum of understanding if necessary to implement this section.

(e) This section does not affect a requirement that a motor vehicle emission inspection be conducted in a county covered by an inspection and maintenance program approved by the United States Environmental Protection Agency under Section 548.301 and the Clean Air Act (42 U.S.C. Section 7401 et seq.).

SECTION 3. Section 548.101, Transportation Code, is amended to read as follows:

Sec. 548.101. GENERAL ONE-YEAR INSPECTION PERIOD. Except as provided by Section 548.054 [~~548.102~~], the department shall require an annual inspection. The department shall set the periods of inspection and may make rules with respect to those periods. The rules must provide that:

(1) a vehicle owner may obtain an inspection not earlier than 90 days before the date of expiration of the vehicle's registration; and

(2) a used motor vehicle sold by a dealer, as defined by Section 503.001, must be inspected in the 180 days preceding the date the dealer sells the vehicle.

SECTION 4. Section 548.501(a), Transportation Code, is amended to read as follows:

(a) Except as provided by Section [~~Sections 548.503 and~~] 548.504, the fee for inspection of a motor vehicle other than a moped is \$12.50. The fee for inspection of a moped is \$5.75.

SECTION 5. Section 548.505(a), Transportation Code, is amended to read as follows:

(a) The department by rule may impose an inspection fee for a vehicle inspected under Section 548.301(a) in addition to the fee provided by Section 548.501, 548.502, [~~548.503,~~] or 548.504. A fee imposed under this subsection must be based on the costs of:

- (1) providing inspections; and
- (2) administering the program.

SECTION 6. Sections 548.102 and 548.503, Transportation Code, are repealed.

SECTION 7. This Act takes effect January 1, 2018.

The amendment to **CSSB 1588** was read.

On motion of Senator Huffines, Floor Amendment No. 2 was tabled by the following vote: Yeas 26, Nays 5.

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Hall, Hancock, Hinojosa, Huffines, Huffman, Hughes, Kolkhorst, Miles, Nelson, Nichols, Perry, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin, Uresti, West, Whitmire, Zaffirini.

Nays: Garcia, Lucio, Menéndez, Rodríguez, Watson.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 3

Amend **CSSB 1588** (senate committee report) by striking all below the enacting clause and substituting the following:

SECTION 1. The heading to Subchapter B, Chapter 548, Transportation Code, is amended to read as follows:

SUBCHAPTER B. VEHICLES AND EQUIPMENT SUBJECT TO INSPECTION AND REINSPECTION IN CERTAIN COUNTIES

SECTION 2. The heading to Section 548.051, Transportation Code, is amended to read as follows:

Sec. 548.051. VEHICLES AND EQUIPMENT SUBJECT TO INSPECTION
IN CERTAIN COUNTIES.

SECTION 3. Section 548.051, Transportation Code, is amended by adding Subsection (c) to read as follows:

(c) This section applies only to a vehicle registered in a county that is:

- (1) located on the Texas-Mexico border and adjacent to the Gulf of Mexico;
- (2) adjacent to a county described by Subdivision (1); or
- (3) adjacent to a county described by Subdivision (2) and has a population

of not more than 5,000.

SECTION 4. Section 548.101, Transportation Code, is amended to read as follows:

Sec. 548.101. GENERAL [~~ONE YEAR~~] INSPECTION PERIOD. (a) Except as provided by Section 548.102, the department shall require an annual inspection for a vehicle subject to a safety inspection under Section 548.051.

(b) The department shall require an inspection for a vehicle subject to an emissions inspection under Subchapter F, as provided by Section 382.202(d), Health and Safety Code.

(c) The department shall set the periods of inspection and may make rules with respect to those periods. The rules must provide that:

(1) a vehicle owner may obtain an inspection not earlier than 90 days before the date of expiration of the vehicle's registration; and

(2) a used motor vehicle sold by a dealer, as defined by Section 503.001, must be inspected in the 180 days preceding the date the dealer sells the vehicle.

SECTION 5. This Act takes effect January 1, 2018.

The amendment to **CSSB 1588** was read.

On motion of Senator Huffines, Floor Amendment No. 3 was tabled by the following vote: Yeas 25, Nays 6.

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Hall, Hancock, Hinojosa, Huffines, Huffman, Hughes, Kolkhorst, Miles, Nelson, Nichols, Perry, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin, Uresti, West, Whitmire.

Nays: Garcia, Lucio, Menéndez, Rodríguez, Watson, Zaffirini.

CSSB 1588 as amended was passed to engrossment by the following vote: Yeas 27, Nays 4.

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Hall, Hancock, Hinojosa, Huffines, Huffman, Hughes, Kolkhorst, Menéndez, Miles, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin, Uresti, West, Whitmire.

Nays: Garcia, Lucio, Watson, Zaffirini.

COMMITTEE SUBSTITUTE SENATE BILL 1588 ON THIRD READING

Senator Huffines moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1588** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 4.

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Hall, Hancock, Hinojosa, Huffines, Huffman, Hughes, Kolkhorst, Menéndez, Miles, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin, Uresti, West, Whitmire.

Nays: Garcia, Lucio, Watson, Zaffirini.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 4. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 2144 ON SECOND READING**

On motion of Senator Taylor of Galveston and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 2144** at this time on its second reading:

CSSB 2144, Relating to the creation of a commission to recommend improvements to the public school finance system.

The bill was read second time.

Senator Taylor of Galveston offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 2144** (senate committee printing) in SECTION 1 of the bill, in added Section 42.602(c), Education Code (page 1, line 57), by striking "commission" and substituting "membership of the commission reflects, to the extent possible, the ethnic diversity of this state and".

The amendment to **CSSB 2144** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1.

CSSB 2144 as amended was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment.

**COMMITTEE SUBSTITUTE
SENATE BILL 2144 ON THIRD READING**

Senator Taylor of Galveston moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 2144** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE BILL 636 ON SECOND READING

Senator Huffines moved to suspend the regular order of business to take up for consideration **SB 636** at this time on its second reading:

SB 636, Relating to procedures for certain municipalities to adopt or amend a national model building code.

The motion prevailed.

Senators Garcia, Menéndez, Miles, Rodríguez, Schwertner, Uresti, Watson, West, and Zaffirini asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time.

Senator Huffines offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 636** (senate committee printing) as follows:

(1) In SECTION 2 of the bill, in added Section 214.217(g), Local Government Code (page 1, line 39), strike "the code or" and substitute "any".

(2) In SECTION 2 of the bill, in added Section 214.217(g)(1), Local Government Code (page 1, line 40), strike "code's or".

The amendment to **SB 636** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1.

SB 636 as amended was passed to engrossment by the following vote: Yeas 22, Nays 9.

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Hall, Hancock, Hinojosa, Huffines, Huffman, Hughes, Kolkhorst, Lucio, Nelson, Nichols, Perry, Seliger, Taylor of Galveston, Taylor of Collin, Whitmire.

Nays: Garcia, Menéndez, Miles, Rodríguez, Schwertner, Uresti, Watson, West, Zaffirini.

SENATE BILL 636 ON THIRD READING

Senator Huffines moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 636** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 6.

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Hall, Hancock, Hinojosa, Huffines, Huffman, Hughes, Kolkhorst, Lucio, Miles, Nelson, Nichols, Perry, Seliger, Taylor of Galveston, Taylor of Collin, Uresti, Whitmire, Zaffirini.

Nays: Garcia, Menéndez, Rodríguez, Schwertner, Watson, West.

The bill was read third time and was passed by the following vote: Yeas 22, Nays 9.

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Hall, Hancock, Hinojosa, Huffines, Huffman, Hughes, Kolkhorst, Lucio, Nelson, Nichols, Perry, Seliger, Taylor of Galveston, Taylor of Collin, Whitmire.

Nays: Garcia, Menéndez, Miles, Rodríguez, Schwertner, Uresti, Watson, West, Zaffirini.

HOUSE BILLS AND RESOLUTION ON FIRST READING

The following bills and resolution received from the House were read first time and referred to the committees indicated:

HB 59 to Committee on State Affairs.

HB 216 to Committee on Transportation.

HB 516 to Committee on Transportation.

HB 822 to Committee on Administration.
HB 832 to Committee on Higher Education.
HB 919 to Committee on Business and Commerce.
HB 922 to Committee on Agriculture, Water, and Rural Affairs.
HB 965 to Committee on Agriculture, Water, and Rural Affairs.
HB 1076 to Committee on Health and Human Services.
HB 1083 to Committee on Agriculture, Water, and Rural Affairs.
HB 1090 to Committee on State Affairs.
HB 1101 to Committee on Finance.
HB 1162 to Committee on Transportation.
HB 1186 to Committee on Finance.
HB 1187 to Committee on Business and Commerce.
HB 1260 to Committee on Agriculture, Water, and Rural Affairs.
HB 1264 to Committee on Criminal Justice.
HB 1266 to Committee on Criminal Justice.
HB 1292 to Committee on Business and Commerce.
HB 1424 to Committee on Criminal Justice.
HB 1455 to Committee on Intergovernmental Relations.
HB 1468 to Committee on Business and Commerce.
HB 1492 to Committee on Finance.
HB 1571 to Committee on Business and Commerce.
HB 1646 to Committee on Veteran Affairs and Border Security.
HB 1655 to Committee on Veteran Affairs and Border Security.
HB 1698 to Committee on Business and Commerce.
HB 1701 to Committee on Business and Commerce.
HB 1704 to Committee on State Affairs.
HB 1771 to Committee on Agriculture, Water, and Rural Affairs.
HB 1779 to Committee on Criminal Justice.
HB 1793 to Committee on Transportation.
HB 1859 to Committee on Business and Commerce.
HB 1954 to Committee on Business and Commerce.
HB 1963 to Committee on Administration.
HB 1983 to Committee on Business and Commerce.
HB 1989 to Committee on Business and Commerce.
HB 2019 to Committee on Business and Commerce.
HB 2059 to Committee on Criminal Justice.
HB 2174 to Committee on Transportation.
HB 2180 to Committee on Agriculture, Water, and Rural Affairs.
HB 2215 to Committee on Agriculture, Water, and Rural Affairs.
HB 2220 to Committee on Intergovernmental Relations.
HB 2271 to Committee on State Affairs.
HB 2279 to Committee on Business and Commerce.
HB 2326 to Committee on Business and Commerce.
HB 2332 to Committee on Administration.
HB 2437 to Committee on Business and Commerce.
HB 2460 to Committee on Agriculture, Water, and Rural Affairs.

HB 2501 to Committee on Business and Commerce.
HB 2504 to Committee on Intergovernmental Relations.
HB 2647 to Committee on Business and Commerce.
HB 2671 to Committee on Criminal Justice.
HB 2698 to Committee on Veteran Affairs and Border Security.
HB 2761 to Committee on Veteran Affairs and Border Security.
HB 2783 to Committee on Business and Commerce.
HB 2788 to Committee on Intergovernmental Relations.
HB 2825 to Committee on Agriculture, Water, and Rural Affairs.
HB 2891 to Committee on Health and Human Services.
HB 2928 to Committee on Business and Commerce.
HB 2931 to Committee on Criminal Justice.
HB 2933 to Committee on Veteran Affairs and Border Security.
HB 2953 to Committee on Administration.
HB 2995 to Committee on Intergovernmental Relations.
HB 3018 to Committee on Business and Commerce.
HB 3049 to Committee on Business and Commerce.
HB 3130 to Committee on Criminal Justice.
HB 3329 to Committee on Business and Commerce.
HB 3398 to Committee on Agriculture, Water, and Rural Affairs.
HB 3402 to Committee on Criminal Justice.
HB 3536 to Committee on Transportation.
HB 3647 to Committee on Criminal Justice.
HB 4042 to Committee on Business and Commerce.
HB 4181 to Committee on Natural Resources and Economic Development.
HCR 56 to Committee on Veteran Affairs and Border Security.

COMMITTEE SUBSTITUTE SENATE BILL 1882 ON SECOND READING

On motion of Senator Menéndez and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1882** at this time on its second reading:

CSSB 1882, Relating to a school district contract to partner with an open-enrollment charter school to operate a district campus.

The bill was read second time.

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1882** (senate committee printing) in SECTION 1 of the bill, in added Section 11.174(b), Education Code (page 1, line 40), by striking "two of".

The amendment to **CSSB 1882** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1.

Senator Rodríguez offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 1882** (senate committee report) as follows:

(1) In SECTION 1 of the bill, in added Section 11.174, Education Code (page 2, between lines 30 and 31), add the following appropriately lettered subsection:

() Notwithstanding any provision of a contract executed by the board of trustees of a school district and the governing body of an open-enrollment charter school under this section, an employee of the school district retains all rights and protections provided by Chapters 21 and 22.

(2) Reletter subsequent subsections of added Section 11.174, Education Code, accordingly.

The amendment to **CSSB 1882** was read.

Senator Rodríguez withdrew Floor Amendment No. 2.

CSSB 1882 as amended was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment.

**COMMITTEE SUBSTITUTE
SENATE BILL 1882 ON THIRD READING**

Senator Menéndez moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1882** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SESSION TO CONSIDER EXECUTIVE APPOINTMENTS

The President announced the time had arrived to consider executive appointments to agencies, boards, and commissions. Notice of submission of this name for consideration was given yesterday by Senator Birdwell.

Senator Birdwell moved confirmation of the nominee reported yesterday by the Committee on Nominations.

NOMINEE CONFIRMED

The following nominee, as reported by the Committee on Nominations, was confirmed by the following vote: Yeas 31, Nays 0.

Member, Texas Alcoholic Beverage Commission: Kevin J. Lilly, Harris County.

**COMMITTEE SUBSTITUTE
SENATE BILL 1122 ON SECOND READING**

Senator Huffines again moved to suspend the regular order of business to take up for consideration **CSSB 1122** at this time on its second reading:

CSSB 1122, Relating to abolishing certain county boards of education, boards of county school trustees, and offices of county school superintendent.

The motion prevailed by the following vote: Yeas 26, Nays 5.

Yeas: Bettencourt, Birdwell, Buckingham, Burton, Campbell, Creighton, Estes, Hall, Hancock, Huffines, Huffman, Hughes, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Perry, Schwertner, Seliger, Taylor of Galveston, Taylor of Collin, Watson, West, Whitmire.

Nays: Garcia, Hinojosa, Rodríguez, Uresti, Zaffirini.

The bill was read second time.

Senator West offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1122** (senate committee report) as follows:

(1) In SECTION 1 of the bill, strike Subsection (a) (page 1, lines 27-31), and substitute the following:

(a) Each county board of education, board of county school trustees, and office of county school superintendent in a county with a population of 2.2 million or more and that is adjacent to a county with a population of more than 800,000 is abolished effective November 15, 2017, unless the continuation of the county board of education, board of county school trustees, and office of county school superintendent is approved by a majority of voters at an election held on the November 2017 uniform election date in the county in which the county board of education, board of county school trustees, and office of county school superintendent are located. Subsections (b) - (q) of this Act do not take effect in a county if the continuation of the county board of education, board of county school trustees, and office of county school superintendent is approved at the election held in the county under this subsection.

(2) In SECTION 1 of the bill, in Subsection (b) (page 1, line 32), strike "September 1, 2017," and substitute "November 15, 2017".

The amendment to **CSSB 1122** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1.

CSSB 1122 as amended was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Garcia.

COMMITTEE SUBSTITUTE SENATE BILL 1122 ON THIRD READING

Senator Huffines moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1122** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Garcia.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1. (Same as previous roll call)

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Schwertner and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Health and Human Services might meet today.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Lucio and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Intergovernmental Relations might meet at his desk and consider **HB 1709** today.

SENATE RESOLUTION 729

Senator Hancock offered the following resolution:

SR 729, In memory of Norman Lee Robinson.

HANCOCK
WEST

On motion of Senator Hancock, the resolution was read and was adopted without objection.

In honor of the memory of Norman Lee Robinson, the text of the resolution is printed at the end of today's *Senate Journal*.

REMARKS ORDERED PRINTED

On motion of Senator West and by unanimous consent, the remarks by Senators Hancock and West regarding **SR 729** were ordered reduced to writing and printed in the *Senate Journal* as follows:

Senator Hancock: Yes, thank you, Mr. President. Members, I'd like to thank Senator West. I had actually posted on Mr. Robinson on social media, and Senator West came up to me this week and said, are you going to do a resolution on Pastor Robinson? And I said, no, Senator, but that's a great idea, and he said, and I'll let you tell them what he said, Senator West. Members, we, we all live our lives in a way that we want to run the race well. We all live our lives so that when that day comes, that when people look back and they reflect on our lives, that they can say, wow, he, she made an impact. I'm here to tell you that Pastor Robinson made an impact, made an impact in lives. When they say that he had unwavering faith and an unwavering dedication to the Bible, Senator West, was I selling him short? It was more than unwavering, it was steadfast. It was steel strong. He lived a life that set an example. He lived a life that set the standard, literally set the standard within his community, of what a godly life should be. And so, it is with great honor that I have a chance to introduce you to a phenomenal man from Arlington, from our district, that finished the race. And when the race was finished, I am convinced he heard on day one, well done my good and faithful servant. Oh, to live the life of Pastor Robinson. Senator West, I want to thank you for reminding me that every once in a while, and those that

have set in B&C know I'm not for slowing down and not for pausing and taking time, but there are times that there's a life that was lived that we need to stop and reflect and show our appreciation for someone who did it right. Pastor Robinson did it right. Thank you, Mr. President.

Senator West: Thank you very much, Mr. President and Members. Senator Hancock, thank you, also. Let me tell you about N. L. Robinson and census tract 222 in Arlington, students attending UT Arlington. African Americans, students attending UT Arlington, you would either have to go home to wherever you were from or find a church in Arlington or not go to church. My grandmother would not have allowed me not to go to church. And so, we ended up going to Pastor Robinson's church. Fast forward years later, he would join my wife Carol and myself in New Orleans and officiate our wedding. Fast forward years later, after becoming an attorney, I would frequent the church every now and then, and as he began to have ideas about exactly how he wanted the new church where he has over 12,000 members to, to function, to look, and the programs that he would have in there, I was a part of that deliberative process, not on a daily basis. And, Members, I recall this, you know, sometimes, Senator Buckingham, when you go to the cemetery, you'll see this person was born on this particular day, then there's a dash in the middle and they died on another day, Senator Schwertner. That dash represents that life and all of the things that Senator Hancock mentioned are true. Sometimes people live and they die, they have all of the resources in the world, but have they really lived a life that our heavenly Father would want that person to live or have they just existed here on Earth? I suggest to you, no, I tell you, my colleague, Senator Hancock, that dash for Reverend Robinson that will be on his tombstone or his, his grave, will be a dash that says, basically, a job well done my good and faithful servant.

RECESS AND MOTION TO ADJOURN

On motion of Senator Whitmire and by unanimous consent, the Senate at 3:41 p.m. agreed to recess until 3:00 p.m. tomorrow for the introduction of bills and resolutions on first reading and the receipt of House messages.

The Senate further agreed to adjourn, in memory of Norman Lee Robinson and Rogelio Botello Rios, upon completion of the introduction of bills and resolutions on first reading and the receipt of House messages, until 11:00 a.m. Monday, May 8, 2017.

FIFTY-FIRST DAY

(Continued)

(Friday, May 5, 2017)

AFTER RECESS

The Senate met at 3:00 p.m. and was called to order by Senator Watson.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Friday, May 5, 2017 - 1

The Honorable President of the Senate

Senate Chamber

Austin, Texas